

All in the Family

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By William Safire

WASHINGTON—Mafia mobsters and Kennedy mythkeepers can heave sighs of relief; Frank Church's cover-up committee has decided not to question Frank Sinatra on his role in making possible the first penetration of the White House by organized crime. Nor will Senator Church ask the F.B.I. to investigate the first murder of a prospective Senate witness.

The reason can be found in the way the committee staff was organized. Frank Church first asked John Doar, fresh from impeachment triumphs, for advice. After peopling the committee staff with members of the Kennedy Protective Society, Mr. Doar recommended Burke Marshall (the lawyer Ted Kennedy called in panic from Chappaquiddick), who told Senator Church he would serve as a consultant recruiting suitable lawyers, and who recommended F.A.O. "Fritz" Schwarz, Jr. to be staff chief.

Count the connections. Mr. Schwarz is a partner of Cravath, Swaine and Moore, the New York law firm that represents IBM; Burke Marshall, a Kennedy Assistant Attorney General, was IBM general counsel from 1965 to 1970; Nicholas Katzenbach, Kennedy Deputy Attorney General, followed him as IBM general counsel, working closely with Mr. Schwarz at Cravath. Roswell Gilpatric, Kennedy Deputy Defense Secretary, is the top man at Cravath.

Now count the cover-ups.

1. *The Ramsey Clark-John Doar cover-up.* As the Church committee blamed J. Edgar Hoover for abuses under Presidents Kennedy and Johnson, no spotlight was focused on the infamous Sept. 27, 1967, memo from Assistant Attorney General John Doar to his boss, Ramsey Clark.

In the Doar plan, approved by Mr. Clark, snooping on dissident groups was raised to a fine art; Mr. Doar urged that the I.R.S. be used, especially its alcohol unit in ghetto areas, and went on: "The Narcotics Bureau is another possibility, and finally, my experience in Detroit suggests that the Post Office Department might be helpful." Mr. Doar was never called; Mr. Clark was never asked to explain. But C.I.A. men are facing grand juries now about their postal "experiences."

2. *The Katzenbach cover-up.* Robert Kennedy's deputy and successor angrily demanded a retraction when I suggested he condoned the scandalous wiretapping and bugging of Martin Luther King Jr., but he professed to amazement when later confronted with his initials and handwriting on scurrilous eavesdropping reports. An aggressive committee lawyer could have forced out more of the truth about the worst abuse of police power

in our time—but Mr. Katzenbach easily ducked the committee's marshmallows.

3. *The Roswell L. ("Dearest Ros") Gilpatric cover-up.* In the cases of his partner, Mr. Gilpatric, and his client, Mr. Katzenbach, Church Counsel Schwarz scrupulously "recused" himself, but the staffers who worked with him got the picture.

Although Mr. Gilpatric was the highest-ranking Kennedy aide working on "Operation Mongoose," the undeclared war on Cuba, the Church interim cover-up plays down his role. And a "Mongoose" plan for "incapacitating" Cuban sugar workers by spraying chemicals on them is dismissed by Church staffers with, "After a study showed the plan to be unfeasible, it was canceled . . ."

The Church staff chose not to make public the memorandum in its possession that casts a different light on the matter. "In the office of the Attorney General," to use a recently favored term, a plan was seriously discussed to launch a chemical attack on Cuban workers (the chemical had a mortality

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rate of "only 3 percent") and it was postponed for two specific reasons: (1) Harvest time was past, and (2) the Kennedys could not get their hands on enough of the chemical at that time.

4. *The Kennedy tainting-of-evidence cover-up.* Senator Church has touched gently on wiretaps approved by Attorney General Robert Kennedy on "at least six" American citizens.

This has not been revealed: One of those taps—and the reason for Senator Church's "at least six" fuzziness—was on a Washington law firm. One imagines that a firm of lawyers has more than one client; those lawyers sometimes work on more than one case.

As we have seen, even inadvertent intrusion taints evidence, and Kennedy Justice Department lawyers were duty-bound to tell every court on every case handled by that tapped law firm just what if anything was overheard. Did they? Did Senator Church ask?

The law firm has requested that the Church committee withhold its name, as I have done, to protect a victim's privacy, but the Churchmen went on from there to conceal the fact of the tapping of a law firm entirely, which only protects the perpetrator's privacy.

Perhaps the tap was so surgical it involved no other clients, and never picked up legal advice—that's for the American Bar Association to demand to know. But of one thing we can be sure: Any lawyers overheard talking to their clients in 1962 did not belong to that well-connected, all-in-the-family firm of Cravath, Swaine and Moore.